

House Bill 363 (AS PASSED HOUSE AND SENATE)

By: Representatives Murphy of the 23rd, Rice of the 51st, and Powell of the 29th

A BILL TO BE ENTITLED

AN ACT

To amend Article 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles generally, so as to change the requirements regarding replating of private and governmental motor vehicles; to increase the license fee on governmental vehicles; to provide for disposition of the license fee on governmental vehicles; to remove the provisions regarding five-year license plates on governmental vehicles; to change the requirements as to destruction of tags from governmental vehicles; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles generally, is amended by striking subsections (b), (b.1), and (c) of Code Section 40-2-31, relating to design and replacement of license plates on private vehicles, and inserting in their place the following:

"(b) Such license plates shall be of metal at least six inches wide and not less than 12 inches in length, except motorcycle license plates which shall be at least four inches wide and not less than seven inches in length, and shall show in bold characters the month and year of ~~registration~~ expiration, the serial number, and either the full name or the abbreviation of the name of the state, shall designate the county from which the license plate was issued, and shall show such other distinctive markings as in the judgment of the commissioner may be deemed advisable, so as to indicate the class of weight of the vehicle for which the license plate was issued; and any license plate for a low-speed vehicle shall designate the vehicle as such. Such plates may also bear such figures, characters, letters, or combinations thereof as in the judgment of the commissioner will to the best advantage advertise, popularize, and otherwise promote Georgia as the 'Peach State.' The metal shall

1 be of such strength and quality that the plate shall provide a minimum service period of at
2 least five years. ~~Every five years a new metal license plate shall be provided by the~~
3 ~~commissioner for issuance. Metal license plates issued on or after January 1, 1997, shall~~
4 ~~be used for a period of five years~~ The commissioner shall adopt rules and regulations,
5 pursuant to the provisions of Chapter 13 of Title 50, the 'Georgia Administrative Procedure
6 Act,' for the design and issuance of new metal license plates and to implement the other
7 provisions of this Code section.

8 ~~(b.1) Any valid license plate or revalidation decal assigned to a vehicle under former~~
9 ~~provisions of this Code section prior to May 1, 1997, shall be deemed issued to the current~~
10 ~~registrant of such vehicle on May 1, 1997.~~

11 (c) The face of the license plate to be displayed shall be treated completely with a
12 retroreflective material which will increase the nighttime visibility and legibility of the
13 plate. ~~The Office of Highway Safety~~ department shall prepare the specifications which such
14 retroreflective material shall meet."

15 SECTION 2.

16 Said article is further amended by striking Code Section 40-2-37, relating to registration and
17 licensing of governmental motor vehicles, and inserting in its place the following:

18 "40-2-37.

19 (a) All vehicles of the type required to be registered by Code Section 40-2-20 owned by
20 the State of Georgia or any municipality or other political subdivision of this state and used
21 exclusively for governmental functions, except those employed in secret investigatory
22 police functions to which regular Georgia license plates are issued, shall be registered with
23 the commissioner by the fiscal officers or other proper officials of the respective
24 departments and agencies of the state, municipality, or political subdivision to which such
25 vehicles belong prior to operation and use thereof. Such registration shall be made upon
26 forms prescribed and prepared by the commissioner for such purpose and shall contain a
27 brief description of the vehicle to be registered; its name and model; the name of the
28 manufacturer; the manufacturer's vehicle identification number; the department, agency,
29 political subdivision, or branch thereof to which such vehicle is to be registered; and such
30 other information as to use and identity as the commissioner may require. Upon the filing
31 of the properly executed application for registration, the commissioner, upon being
32 satisfied that such vehicle is bona fide owned by the state or a municipality or political
33 subdivision thereof and is to be used exclusively for governmental functions, shall issue,
34 upon payment by such applicant of a license fee of ~~\$1.00~~ \$3.00, a license plate which shall
35 be displayed upon such vehicle in the same manner as provided for private vehicles. The

1 license fee, less the actual manufacturing cost of the plates which will be retained by the
2 department, shall be deposited in the general fund of the state treasury. Such license plates
3 shall be replaced at such time as other license plates issued for private vehicles are required
4 to be replaced.

5 (b) For all vehicles owned by the State of Georgia or any municipality or other political
6 subdivision of this state, except those vehicles employed in covert or secret investigatory
7 police functions to which regular Georgia license plates are issued and those vehicles
8 owned by the Department of Public Safety, the commissioner shall provide for ~~five-year~~
9 registration and issuance of regular license plates for such vehicles. The ~~five-year~~ license
10 plates issued pursuant to this subsection shall be identical in appearance to regular license
11 plates issued for private vehicles, except that such ~~five-year~~ license plates shall not display
12 any ~~year of registration or~~ registration expiration. Such license plates may be transferred
13 as provided for in subsection (d) of this Code section. Such ~~five-year~~ license plates shall
14 be issued at the ~~beginning of a five-year license period as for private vehicles or shall be~~
15 ~~issued at the time the vehicle is purchased by the state, and all such license plates shall~~
16 ~~expire at the same time as regular license plates.~~

17 (c) All license plates issued to government vehicles pursuant to this Code section shall be
18 marked in such a manner as to indicate the specific type of governmental unit operating the
19 vehicle. These markings shall be prominently displayed and shall consist of one of the
20 following appropriate legends: 'STATE,' 'CITY,' 'COUNTY,' 'AUTHORITY,' or 'BOARD.'
21 In addition, each such license plate shall bear a county identification strip indicating the
22 county in which the vehicle is based except that vehicles owned by the state shall not be
23 required to bear such county identification strip.

24 (d) Any such license plates shall remain displayed and affixed upon such vehicle so long
25 as such vehicle continues to be owned by the state or such municipality or political
26 subdivision and used exclusively for governmental functions. Upon cessation of either
27 such ownership or use, the license plate shall be removed from such vehicle and ~~either~~
28 ~~destroyed by such agency or~~ returned to the commissioner or the county tag agent for
29 destruction. ~~If a license plate has been destroyed by the agency, certification of such~~
30 ~~destruction shall be provided by the agency to the commissioner upon a form prepared and~~
31 ~~furnished for such purpose by the commissioner.~~ In the event of a transfer of a vehicle to
32 a department or agency, or branch thereof, other than the specific one to which such vehicle
33 is registered, the commissioner shall be notified in writing by the department or agency
34 from which the same is being transferred upon a form prepared and furnished for such
35 purpose by the commissioner. ~~Such transfer shall be recorded on the registration lists~~
36 ~~maintained by the commissioner.~~ On due proof of loss of any such license plate, or of

1 mutilation due to accidental or natural causes, another license plate may be issued upon
2 application of the fiscal officer or other proper official of the department, agency, or
3 political subdivision to which any such lost plate is registered.

4 (e) No person, firm, or corporation owning or operating any such vehicle shall display
5 upon the motor vehicle any license plate provided for in this Code section unless at the time
6 of such ownership or operation such vehicle is properly registered under this Code section
7 and is owned by the state or a municipality or political subdivision of this state and is being
8 used exclusively for governmental purposes. Any person who violates this subsection shall
9 be guilty of a misdemeanor.

10 (f) This Code section shall apply to all vehicle license plates issued for governmental
11 vehicles on and after January 1, ~~1996~~ 2007."

12 **SECTION 3.**

13 This Act shall become effective on July 1, 2006.

14 **SECTION 4.**

15 All laws and parts of laws in conflict with this Act are repealed.